

**REMARKS**

As a preliminary matter, the Examiner has stated that he will not consider Figures 7, 8A, and 8B until further explanation regarding the section 112, first paragraph, rejection is provided. Applicant has provided such explanation, and therefore respectfully requests consideration of Figures 7, 8A, and 8B.

Further, the Examiner objected to the disclosure for certain informalities. As indicated above, Applicant has amended the Specification as requested by the Examiner. Accordingly, Applicant respectfully requests withdrawal of the objections.

Further, the Examiner objected to claims 20 and 24-30 due to certain informalities. As indicated above, Applicant has amended the claims as required. Accordingly, Applicant respectfully requests withdrawal of the objections.

Further, the Examiner rejected claims 20-40 pursuant to 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. As indicated above, Applicant has amended the specification to address the Examiner's concerns. Accordingly, Applicant respectfully requests withdrawal of the rejections.

Further, the Examiner rejected claim 39 pursuant to 35 U.S.C. § 112, second paragraph, as being indefinite. As indicated above, Applicant has amended the claim to clarify the invention. Accordingly, Applicant respectfully requests withdrawal of the objections.

The Examiner has rejected claims 20-23, 25-32, and 39-40 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 959,494 to Fisher ("Fisher"). Further, the Examiner rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Fisher in view of U.S. Patent No. 5,172,944 to Munich ("Munich"). Further, the Examiner rejected claims 33-36 and 38 under 35 U.S.C. § 103(a) as being unpatentable over Fisher in view of U.S. Patent Application Pub. No. 2003/0024285 to Segawa ("Segawa"). Further, the Examiner rejected claim 37 under 35 U.S.C. § 103(a) as being unpatentable over Fisher in view of Segawa and further in view of U.S. Patent No. 5,862,690 to Jancsek ("Jancsek").

Claims 20, 24-30, and 39 have been currently amended. Claims 20-40 are currently pending. The following remarks are considered by Applicant to overcome each of the Examiner's outstanding rejections to current claims 20-40. An early Notice of Allowance is therefore requested.

**I. SUMMARY OF RELEVANT LAW**

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The determination of obviousness rests on whether the claimed invention as a whole would have been obvious to a person of ordinary skill in the art at the time the invention was made. In determining obviousness, four factors should be weighed: (1) the scope and content of the prior art, (2) the differences between the art and the claims at issue, (3) the level of ordinary skill in the art, and (4) whatever objective evidence may be present. Obviousness may not be established using hindsight or in view of the teachings or suggestions of the inventor. The Examiner carries the burden under 35 U.S.C. § 103 to establish a prima facie case of obviousness and must show that the references relied on teach or suggest all of the limitations of the claims.

**II. REJECTION OF CLAIMS 20-23, 25-32, AND 39-40 UNDER 35 U.S.C. § 102(B) BASED ON FISHER**

The Examiner rejects claims 20-23, 25-32, and 39-40 as being anticipated by Fisher. These rejections are respectfully traversed and believed overcome in view of the following discussion.

Claim 20 states, in part:

“for each lock element, a driven toothed wheel, **which is directly connected** to the lock element so as to be rigid against rotation with respect to the lock element and which engages with the toothing of the lock rod, being held on the door in a rotatable

manner in order to couple the lock rod with the lock element or lock elements.” (emphasis added).

Accordingly, claim 20 requires that the driven toothed wheel be directly connected to the lock element. Fisher, by contrast, discloses an indirect connection between the driven toothed wheel and lock element, and therefore Fisher does not disclose this direct connection limitation.

The Examiner contends that Fisher discloses this limitation because Fisher’s stem 4 is a “portion” of gear pinion 15 (the purported driven toothed wheel), and the stem 4 is directly connected to the cam body 1 (the purported lock element). The Examiner’s argument relies on the stem 4 being a “portion” or part of the gear pinion 15. (Current Office Action at 12.) But the stem 4 is not a part of the gear pinion 15. Fisher states as follows: “The square stems 4 passing through the hubs of the cam bodies extend through the sash 10 to the inside thereof, *the gear pinions being placed thereon* ....” (Fisher, p. 1, lines 103-06.) Thus, the gear pinion 15 is placed on the stem 4, and therefore the stem 4 is not a “portion” or part of the gear pinion but an entirely separate part. Thus, the gear pinion 15 and the cam body 1 are not directly connected, but are indirectly connected through a separate third part, the stem 4. Accordingly, Fisher cannot directly or inherently describe a driven toothed wheel directly connected to a lock element.

This difference between Fisher and the current invention is significant.

Introducing a third part (stem part 4), rather than using a direct connection, causes play in the connection twice: first, play between the surfaces of the square axial hold of the wheel 15 and the one side of the stem 4 inserted therein; and, second, play between the other side of the stem 4 and the respective square break through of the lock element 1. Further, in view of the small radius of the stem, a high material load could lead to deformation of the ends of the stem or the square holes, which is a particular problem if parts are made of pastime material. The direct connection of the current invention eliminates the third part, thereby allowing only one possibility of play and a greater radius to transfer rotational momentum with reduced load on the contacting surfaces of the coupling according to the invention (enabled by projection 34 and recess 32).

As Fisher fails to disclose the above claim language, Applicants respectfully assert that Examiner has failed to establish a prima facie case of anticipation of independent claim 20, and corresponding claims 21-23, 25-32, and 39-40 because they are all dependant from independent claim 20. Therefore, Applicant respectfully requests withdrawal of the anticipation rejections.

**III. REJECTION OF CLAIM 24 UNDER 35 U.S.C. § 103(A) BASED ON FISHER AND MUNICH**

The Examiner rejects claim 24 pursuant to 35 U.S.C. 103(a) as being obvious over Fisher in view of Munich. Claim 24 depends from independent claim 20. As claim 20 is allowable, so must be claim 24. Thus, Applicants respectfully request withdrawal of the obviousness rejection.

**IV. REJECTION OF CLAIMS 33-36 AND 38 UNDER 35 U.S.C. § 103(A) BASED ON FISHER AND SEGAWA**

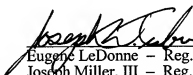
The Examiner rejects claims 33-36 and 38 as being unpatentable over Fisher in view of Segawa. Claims 33-36 depend from independent claim 20. As claim 20 is allowable, so must be claims 33-36. Thus, Applicants respectfully request withdrawal of the obviousness rejections.

**V. REJECTION OF CLAIM 37 UNDER 35 U.S.C. § 103(A) BASED ON FISHER, SEGAWA, AND JANCSEK**

The Examiner rejects claim 37 as being unpatentable over Fisher in view of Segawa and further in view of Jancsek. Claim 37 depends from independent claim 20. As claim 20 is allowable, so must be claim 37. Thus, Applicants respectfully request withdrawal of the obviousness rejections.

Based upon the above remarks, Applicant respectfully requests reconsideration of this application and its early allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,



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